

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

KURBY DECKER

§

v.

§ CIVIL ACTION NO. 5:06cv210

CHEQUITA DUNBAR, ET AL.

§

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE
AND DENYING MOTIONS FOR SUMMARY JUDGMENT

The Plaintiff Kurby Decker, proceeding through retained counsel, filed this civil rights lawsuit under 42 U.S.C. §1983 complaining of alleged violations of his constitutional rights. This Court ordered that the matter be referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

Decker has filed a motion and supplemental motion for summary judgment. On February 11, 2008, the Magistrate Judge issued a Report recommending that these motions be denied. Decker filed objections to this Report on February 28, 2008.

The Court has conducted a careful *de novo* review of all of the pleadings in this cause, including the Plaintiff's motion and supplemental motion for summary judgment, the attachments to those motions, the Report of the Magistrate Judge, the Plaintiff's objections thereto, and all other filings and records in the cause. Upon such *de novo* review, the Court has concluded that the Report of the Magistrate Judge is correct and that the Plaintiff's objections are without merit. It is accordingly

ORDERED that the Plaintiff's objections are overruled and that the Report of the Magistrate Judge (docket no. 157) is ADOPTED as the opinion of the District Court. It is further

ORDERED that the Plaintiff's motion and supplemental motion for summary judgment (docket no.'s 81 and 85) are hereby DENIED.

SIGNED this 7th day of March, 2008.



DAVID FOLSOM
UNITED STATES DISTRICT JUDGE